


September 1, 2020 Stipulation
Attachment F
PP v. CMP

 **Mueller, Gregory (Vol. 01) - 04/12/2019**

1 CLIP (RUNNING 00:34:30.247)

 **Mueller Direct**

MUELLER DIRECT

63 SEGMENTS (RUNNING 00:34:30.247)



1. PAGE 8:12 TO 8:13 (RUNNING 00:00:02.183)

12 Q Good morning, Mr. Mueller.
13 A Good morning.

2. PAGE 17:24 TO 18:01 (RUNNING 00:00:04.481)

24 Q Okay, and your -- remind me. Your title
25 is what at CRC?
00018:01 A I'm president.

3. PAGE 19:06 TO 19:09 (RUNNING 00:00:12.379)

06 Q Okay. So you're currently president of
07 CRC, and it sounds like you have been for at least
08 19 years, maybe more.
09 A I think that's pretty accurate.

4. PAGE 35:17 TO 35:21 (RUNNING 00:00:22.460)

17 Q Okay. Is -- are you or CRC presently
18 engaged by Mr. Daleiden?
19 A We, we are, we are assisting him in
20 litigation support, if that's what you're asking,
21 in terms of communications and media.

5. PAGE 38:12 TO 38:14 (RUNNING 00:00:07.596)

12 Q Have you been doing work on let's just
13 say at least a quarterly basis for Mr. Daleiden or
14 CMP since 2015?

6. PAGE 38:17 TO 38:23 (RUNNING 00:00:15.662)

17 THE WITNESS: I would say
18 quarterly. It's, it's more of a hit-or,
19 hit-or-miss relationship. When there are
20 inflection points, we try to help them out
21 with either communication support of some
22 kind.
23 BY MR. KAMRAS:

7. PAGE 38:24 TO 39:05 (RUNNING 00:00:21.633)

24 Q What, what do you mean by "inflection
25 points"?
00039:01 A I would say with the, with the various
02 litigation, there is -- again, we, we're a PR
03 firm, so we do litigation communications work on
04 occasion, and he falls into that category on
05 occasion due to some of these lawsuits.

8. PAGE 42:08 TO 42:21 (RUNNING 00:00:29.233)

08 Q -- which is I wanted to know: In the
09 period of time that you, that CRC has been
10 providing services to Mr. Daleiden and CMP,
11 spanning to 2015 --
12 A Okay.
13 Q -- do you know whether your services,
14 CRC's services, have been paid for by a third

15 party?
16 A Am I aware of that?
17 Q Yes.
18 A Yes.
19 Q Okay, and do you know who or what third
20 parties?
21 A If I recall, Students For Life.

9. PAGE 48:09 TO 48:14 (RUNNING 00:00:16.228)

09 Q Okay, and CRC was involved in the
10 process by which those tapes were released and,
11 and the media campaign associated with the release
12 of those tapes?
13 A Yeah, our job was to basically help get
14 publicity for them.

10. PAGE 60:04 TO 60:25 (RUNNING 00:01:17.881)

04 Q And so what did you do between
05 graduating from college and 1989?
06 A Oh, boy. I came to Washington, and I
07 worked in the mail office of the United States
08 Senate, pitching mail at 4:30 in the morning. I
09 did some fundraising work for different potential
10 candidates, some -- mostly volunteer work for
11 those first three months after I graduated, and
12 then, then after that, I think I was a file clerk
13 in a law firm.
14 Q I'm sorry.
15 A They talked me out of going to law
16 school.
17 And then after that, I think I joined
18 another -- I think I joined a think tank, and then
19 I went to another PR firm before we founded or CRC
20 was founded.
21 I think that covers it, to my best
22 recollection.
23 Q What think tank?
24 A It was, it was called the National
25 Conservative Foundation back then.

11. PAGE 61:12 TO 61:13 (RUNNING 00:00:13.327)

12 Q It's a media watchdog group that watches
13 for liberal bias; is that correct?

12. PAGE 61:16 TO 61:19 (RUNNING 00:00:09.554)

16 THE WITNESS: Well, it does a lot
17 of things. One of the things it does is
18 documents liberal media bias, and it does
19 analysis, studies.

13. PAGE 65:13 TO 65:24 (RUNNING 00:00:50.593)

13 Q Okay. So in, in 2015, you were, as
14 we've established, you were president of CRC.
15 What was -- what were your responsibilities as
16 president?
17 A Well, generally to play the role of the
18 strategist and consultant for our clients, engage
19 in media outreach, media relationships, if you
20 will, do some, some writing, and then I oversee
21 some of the higher level staff, but I oversee
22 staff.
23 I think that probably hits most of the
24 highlights.

14. PAGE 66:05 TO 66:06 (RUNNING 00:00:04.410)

05 Q And what does it mean to help plan
06 publicity efforts?

15. PAGE 66:09 TO 66:15 (RUNNING 00:00:20.004)

09 THE WITNESS: It's usually general
10 press materials in terms of, you know, how do
11 you roll something out to get news attention.
12 How do you -- press releases or statements
13 that are going to be published, to get that
14 information out to the public through the
15 press.

16. PAGE 72:07 TO 72:16 (RUNNING 00:00:39.717)

07 Q Okay. How did you first become aware of
08 Mr. Daleiden?
09 A I think I first met David when he was
10 working for Live Action. I don't fully recall,
11 but I think that's when I first -- actually, I
12 don't even know if I physically met him. He was
13 on conference calls.
14 Q And what is Live Action?
15 A It's a pro-life group, best I could
16 describe it.

17. PAGE 73:06 TO 73:07 (RUNNING 00:00:05.805)

06 Q Was CRC engaged by Live Action?
07 A Yes.

18. PAGE 80:25 TO 81:21 (RUNNING 00:01:20.283)

25 Q Okay. So the, the undercover videos
00081:01 that Mr. Daleiden filmed were released in July of
02 2015.
03 Do you recall that?
04 A I don't recall the exact date, but I
05 think that in that time frame is correct.
06 Q So with that -- and we'll date it with
07 more specificity later, but with that frame in
08 mind, can you tell me whether this call that you
09 were describing when Mr. Daleiden reached out to
10 you to solicit CRC's services, did that occur in
11 2015 or was it even before 2015?
12 A I'm not 100 percent sure, but I'm fairly
13 confident that he called us within the same year,
14 calendar year as he was planning to release the
15 videos. In other words, I don't think we -- I
16 don't think -- I think when he reached out to us,
17 it was in, it was in a -- I think it was in a --
18 I'm not fully confident about this, so I don't
19 recall specifically, but I think it was -- there
20 wasn't a lot of time between the time he called us
21 and the time he was releasing these videos.

19. PAGE 89:25 TO 90:04 (RUNNING 00:00:10.932)

25 When you had that first call and he
00090:01 described these videos as "undercover" videos, was
02 it your impression that the Planned Parenthood
03 providers were aware of the fact that they were
04 being filmed?

20. PAGE 90:08 TO 90:12 (RUNNING 00:00:13.251)

08 THE WITNESS: I mean I, I was
09 assuming, which is an assumption, that when

10 somebody says they're going undercover, that
11 the person that they're interviewing is not
12 aware that they are being interviewed.

21. PAGE 91:22 TO 91:25 (RUNNING 00:00:18.681)

22 Q Okay, so -- and were you aware -- either
23 on that first call or at any later point, did
24 Mr. Daleiden describe to you how he was able to
25 get access to these conferences?

22. PAGE 92:03 TO 92:06 (RUNNING 00:00:10.443)

03 THE WITNESS: I don't recall any
04 discussion about how he went about it. Most
05 of our discussions were about how we would
06 get publicity once he published the videos.

23. PAGE 92:19 TO 92:23 (RUNNING 00:00:18.260)

19 Q Did -- again, on that first phone call
20 or at any other time, did Mr. Daleiden discuss
21 with you having procured a false driver's license
22 in order to gain access to either conferences or
23 Planned Parenthood facilities?

24. PAGE 93:01 TO 93:04 (RUNNING 00:00:13.675)

00093:01 THE WITNESS: I don't recall him --
02 I don't recall him ever informing me of that.
03 Most of our conversations were about media,
04 strategy to get publicity for the videos.

25. PAGE 105:05 TO 105:15 (RUNNING 00:00:29.769)

05 Q Yeah, so let's take the first video.
06 That first video; do you recall the first video
07 that was released on July 14, 2015, involved
08 Dr. Nucatola of Planned Parenthood? Do you recall
09 that?
10 A I recall the video.
11 Q Okay, and you recall that at least
12 portions of that video were from a lunch that
13 Dr. Nucatola had with Mr. Daleiden when he was
14 posing undercover, correct?
15 A Yes, I'm aware of that.

26. PAGE 105:23 TO 105:25 (RUNNING 00:00:11.759)

23 There was a -- the video that was
24 released on July 14, 2015, by CMP was not the
25 video of the entire lunch, correct?

27. PAGE 106:03 TO 106:22 (RUNNING 00:01:01.593)

03 THE WITNESS: I'm aware that the
04 videos -- there's raw footage, and then
05 there's the videos that were published for,
06 for public interest purposes.
07 BY MR. KAMRAS:
08 Q Okay. Did you -- prior to the release
09 of any of the videos, whether on July 14 or
10 otherwise, did you watch, as you put it, the "raw
11 footage" from which the released videos were
12 taken?
13 A I watched, I watched, I watched the
14 videos that he was producing. I don't, I don't
15 recall if I watched all the hours of the videos.
16 Q Okay, and when you say "the videos that
17 he was producing," just so we're clear, you're

18 referring to the videos that typically ran a
19 number of minutes, correct?
20 A Yeah.
21 Q They would be maybe five minutes or
22 maybe even as long as ten minutes long, correct?

28. PAGE 107:01 TO 107:09 (RUNNING 00:00:22.123)

00107:01 THE WITNESS: So the videos I
02 reviewed were what he was planning to release
03 to the public, and then our job was to help
04 him get attention for those. These videos
05 were very similar to how you put a news
06 segment together, but frankly they were
07 longer than your average news segment that
08 you see on the nightly news or on cable TV.
09 Those are the videos I, I mostly focused on.

29. PAGE 107:11 TO 107:16 (RUNNING 00:00:26.481)

11 Q Okay, and you don't recall having viewed
12 the, as you put it, the "raw footage" from which
13 it was taken -- from which these produced videos
14 were taken?
15 A I don't recall looking at hours and
16 hours of video, the raw, the raw video.

30. PAGE 107:17 TO 108:25 (RUNNING 00:01:48.986)

17 Q Still focusing on the period of time
18 before the first video was released on July 14,
19 2015, did Mr. Daleiden, whether on that first call
20 or thereafter, describe to you what he hoped to
21 accomplish by releasing these videos to the
22 public?
23 A I don't recall. On that first call --
24 my best recollection of that first call and much
25 of the planning that we were involved in was about
00108:01 the strategy to get the videos out through the
02 media to the public. That was generally what most
03 of our conversations were about.
04 Q Okay, but you understood that, as with
05 most clients, he had some reason for releasing
06 these videos, right?
07 A Sure. I think he was trying to get the
08 truth out about what he found.
09 Q Okay, so that's -- I want to know what
10 he told you about, if anything, about what his
11 purpose was in releasing the videos.
12 A This is on the first call or just
13 generally?
14 Q At any time prior to the release of the
15 first video.
16 A Okay. I don't recall we had very much
17 of a conversation about what he was trying to
18 accomplish. It seemed to me to be pretty obvious.
19 He was -- he had video of what was being, was
20 happening at these events, what they were talking
21 about, and he wanted to release that to the
22 public, and, and -- but I don't recall him
23 specifically saying here's our end game or here's
24 our objective. I don't, I don't recall that. It
25 may have happened, but I don't recall it.

31. PAGE 116:06 TO 116:08 (RUNNING 00:00:07.705)

06 Q But you understand that that was his
07 intent, right? His intent was to create negative
08 public relations for Planned Parenthood?

32. PAGE 116:11 TO 116:17 (RUNNING 00:00:12.608)

11 THE WITNESS: My understanding of
12 his intent -- and you'd have to ask him these
13 questions, and I'm sure you, you will -- was
14 he was simply trying to get this information
15 out to the public. He was trying to get the
16 truth out to the public based on what his
17 investigations had found.

33. PAGE 121:12 TO 121:25 (RUNNING 00:00:47.285)

12 What he says in this goal statement or
13 statement of goal is -- you're right. He
14 references illegality, but what he says is "to
15 leverage evidence of Planned Parenthood's illegal
16 supply of fetal tissue to maximum negative
17 impact -- legal, political and professional,
18 public -- on Planned Parenthood."
19 And so I want to understand whether
20 Mr. Daleiden expressed to you an intent and
21 expectation that by releasing these videos, having
22 filmed, produced and released these videos, that
23 he could leverage, make use of what he claimed was
24 evidence of illegal conduct in order to inflict
25 maximum negative impact on Planned Parenthood?

34. PAGE 122:03 TO 122:16 (RUNNING 00:00:35.155)

03 THE WITNESS: I don't recall
04 specifically him putting it quite that way,
05 but I, I recall conversations, although again
06 most of our conversations were about
07 publicity efforts, but I do recall
08 conversations in which he was talking about
09 that there were potentially illegal acts, in
10 his view, that was going on, or illegal
11 activity that was going on here, and that
12 this might have an impact on taxpayer funding
13 of the organization, that therefore these
14 videos would be of interest to the public who
15 are paying the taxes for that, that
16 organization.

35. PAGE 130:07 TO 132:01 (RUNNING 00:02:26.820)

07 Were you or CRC involved in helping to
08 coordinate messaging with AUL, NRLC, and SBA
09 concerning the release of the videos that
10 Mr. Daleiden had filmed and produced?

11 A I mean -- do you mean was I talking to
12 these organizations on how they should message
13 once they came out?

14 Q Well, start there, sure.

15 A So again, our role in here in terms of
16 what they hired our PR firm to do was to provide a
17 media strategy to get the videos out once they
18 were published, and then that usually included a
19 press release that would go out to all the groups
20 so they could engage with that content and get
21 messages out as they saw fit to their audiences.
22 That's generally what we did.

23 Q And did you have conversations with AUL,
24 NRLC, and SBA about what those press releases
25 should say or what the messaging about the videos
00131:01 should be?

02 A I don't recall -- I -- to the best of my
03 knowledge, we didn't write any of their press

04 releases for them.

05 In terms of us suggesting how they might
06 communicate or what was on the videos, that was
07 sort of in the press releases already. All we did
08 was push them out, if you will, to different, some
09 of these different enterprises.

10 By the way, not all these enterprises.
11 I don't know that -- I don't recall some of these
12 enterprises being on list distributions when we
13 released videos, myself. Some of them were, but
14 I'd have to go back and look. I don't recall all
15 these organizations being on those distributions,
16 but the idea, the general question I think you're
17 asking is, did we assist in the messaging of, of
18 what was on these videos. Yes. That was part of
19 our role.

20 Q And how did you assist in that
21 messaging?

22 A Basically when the videos were coming
23 out, the press releases would go out, and then we
24 would communicate what was on the videos.

25 Basically the content again was already there.

00132:01 You didn't have to do very much messaging.

36. PAGE 132:02 TO 132:13 (RUNNING 00:00:45.049)

02 Q When you say you would, you, CRC, would
03 communicate the content of the videos, communicate
04 to whom? Just to make sure I understand.

05 A So when the press releases were written,
06 we would send out emails to media and
07 organizations, alerting them to what was the
08 content of the videos, and then there would be a
09 statement from Mr. Daleiden in those. He mostly
10 wrote his own stuff and his own statements. He
11 would consult with me, "is this the best way to
12 say this," or something like that.

13 Q Okay. Why don't we turn to Exhibit 304.

37. PAGE 132:24 TO 135:06 (RUNNING 00:02:34.487)

24 Q I wanted to talk about this, because you
25 had referenced distribution lists --

00133:01 A Yes.

02 Q -- and organizations that were on the
03 distribution lists, and you'll see that this is --
04 this, which is Exhibit 304, is an email dated
05 July 13, 2015.

06 Do you see that?

07 A Yes, I do.

08 Q Okay, and so that's the day before the
09 first video was to be released, correct?

10 A I don't recall the exact date of when
11 the first video, but --

12 Q Well, look down at the bottom of this
13 email, and you'll see --

14 A So there's the -- okay, so there's the
15 embargo. Got it. Got it.

16 Q Let me -- so we're not talking over each
17 other, if you look down at the bottom of the
18 email, you'll see that there's an "embargoed press
19 release concerning the release of a video
20 concerning Planned Parenthood," right?

21 Do you see that?

22 A That's correct.

23 Q Okay, and it's embargoed until 8:00 a.m.
24 on July 14, 2015, correct?

25 A Correct.
00134:01 Q Okay, and this email is dated the day
02 before, July 13.
03 Do you see that?
04 A Yes, I do.
05 Q Okay, and there are quite a number of
06 people who are identified on the "to" list.
07 Do you see that?
08 A Yes, I do.
09 Q Okay, and is this one of -- you had
10 mentioned that you recall there being like
11 distribution lists in which or through which the
12 videos would be circulated or press releases would
13 be circulated, and is this an example of such a
14 distribution list?
15 A I mean are you asking me if the
16 information that we sent out when we release
17 videos, did it go to this list every time?
18 Q This list or a, you know, similar list.
19 A It would, it would be a similar list,
20 not this exact list.
21 Q Okay, and, and this list includes --
22 you'll see that the email that Mr. Daleiden writes
23 is -- the greeting is "Dear Pro-Life Leaders."
24 Do you see that?
25 A Yes, yes. I'm sorry. Yes.
00135:01 Q You do? Okay, and the, the people to
02 whom this list -- excuse me -- this email was sent
03 include people from Americans United for Life,
04 right?
05 You see Charmaine Yoest there?
06 A Yes, I do see Charmaine's name there.

38. PAGE 136:03 TO 136:06 (RUNNING 00:00:07.694)

03 Q Okay. There's Reverend Pavone from --
04 the national director of Priests for Life.
05 Do you see that?
06 A Yes, I see his name.

39. PAGE 136:11 TO 136:17 (RUNNING 00:00:12.765)

11 Q Okay. There's Cheryl Sullenger from
12 Operation Rescue, correct?
13 A She's on here, yeah.
14 Q Okay. Shawn Carney from 40 Days For
15 Life.
16 Do you see him?
17 A I do see him.

40. PAGE 137:24 TO 138:16 (RUNNING 00:00:39.985)

24 Q Yeah, you had previously mentioned that,
25 for example, prior to the release of a video, you
00138:01 would circulate the -- a press release, that you
02 would circulate the video, that there was some
03 discussion about messaging with other pro-life
04 organizations.
05 Do you recall that testimony?
06 A Yes, yes, yes. So, so if there were --
07 so information before a video, this video, went
08 out, obviously reached these people.
09 Q Okay, and so I was just confirming that
10 prior to the release of the video, there was,
11 there was some coordination along the lines that
12 you had just described with --
13 A True.
14 Q -- these or other pro-life

15 organizations.
16 A Accurate.

41. PAGE 146:11 TO 146:12 (RUNNING 00:00:07.265)

11 MR. KAMRAS: Okay. I'm going to
12 mark as next in order, which is Exhibit 321.

42. PAGE 146:16 TO 146:17 (RUNNING 00:00:19.609)

16 Q This is an email string which is dated
17 July 15, 2015, Bates-stamped CM20708 through 717.

43. PAGE 146:25 TO 147:23 (RUNNING 00:01:08.838)

25 Q Okay, and you'll see that this is
00147:01 July 15, the day after the videos -- the first,
02 excuse me, of the videos was released, and there's
03 an email roughly in the middle of the page from
04 Autumn Christensen --
05 A Yes.
06 Q -- at 12:52 p.m. Do you see that?
07 A Yes, I see it.
08 Q Okay. Do you know who Autumn
09 Christensen is?
10 A Yes.
11 Q Who is Autumn?
12 A Autumn is, is a pro-life sort of
13 activist, but she worked on Capitol Hill for a
14 while. I think during this period she was on
15 Capitol Hill.
16 Q Is -- Autumn worked with the Pro-Life
17 Caucus; is that correct?
18 A I think that's correct, yes.
19 Q Okay, and the Pro-Life Caucus, if I
20 understand correctly from Mr. Robbio yesterday, is
21 a caucus of members of Congress who are pro-life;
22 is that correct?
23 A That's correct.

44. PAGE 150:14 TO 151:04 (RUNNING 00:00:59.929)

14 Q All right, and so was -- were you or CRC
15 involved in working with members of Congress or,
16 or other politicians prior to the release of this
17 first video on July 14?
18 A Most of our work was all publicity and
19 media, so we, we're not, we're not a lobbyist, so
20 we don't normally do work with anybody on the Hill
21 in that regard in terms of lobbying or anything
22 like that. Work product that we're involved with
23 might find its way up to the Hill through others
24 or we might send it out.
25 You know, obviously I was communicating
00151:01 with Autumn as, as -- I forget what her title was
02 at the Pro-Life Caucus, but most of the work we do
03 is more publicity driven, not trying to work
04 legislation or anything like that.

45. PAGE 151:05 TO 151:13 (RUNNING 00:00:26.121)

05 Q Okay, but you, you did understand that
06 the communications or the, the literature or other
07 material that you provided to Ms. Christensen
08 would end up with at least some members of the
09 Pro-Life Caucus?
10 A I don't know what she did with them when
11 she got them, but I would assume that she would
12 share certain bits of information with the members

13 of her caucus.

46. PAGE 151:25 TO 152:21 (RUNNING 00:01:16.854)

25 Q And on -- and you said that most of your
00152:01 work was with respect to media, and so what work
02 did you or CRC do prior to the release of the
03 first video to -- or with media in order to
04 prepare them for the release of the media --
05 excuse me -- of the videos?
06 A So our basic work before the -- you're
07 asking what was the work that you would do before
08 the video would be released?
09 Q Yeah, yeah.
10 A Okay. So our work would mostly be
11 involved with -- David largely wrote the press
12 releases, because he was the one that was most
13 familiar with what the videos were, the content of
14 them. We mostly would discuss how we were going
15 to then get the videos out to the public and which
16 media outlets, or would you specifically pick one
17 or two journalists to give them to first, what's
18 known in our industry as an "exclusive," or did we
19 think we should just let them out and, and, and
20 have the media react to them however they saw fit
21 from a news standpoint.

47. PAGE 166:06 TO 166:07 (RUNNING 00:00:09.741)

06 Q Okay. Why would it be a problem if any
07 of what Mr. Daleiden said had been wrong?

48. PAGE 166:11 TO 166:23 (RUNNING 00:00:33.559)

11 THE WITNESS: Okay. First of all,
12 as a public relations professional, we have
13 an obligation to make sure that information
14 that's going out is, is based on some level
15 of evidence, and we were very careful, if I
16 recall, during this, to stick to what was
17 found in his investigation on those videos,
18 the things he found in his investigation
19 based on those videos.
20 So I was always trying to be
21 careful, the best of my recollection at the
22 time, to be -- not to have any of this be
23 speculative.

49. PAGE 167:11 TO 167:19 (RUNNING 00:00:26.860)

11 Q But we discussed earlier that you did
12 not view the raw footage of the videos prior to
13 the produced versions of the videos being
14 released, correct?
15 A The best of my recollection, I did not
16 sit through hours and hours of whatever video, raw
17 video he had. I was mostly focused on him saying
18 here is the stuff I'm going to publish, what do
19 you think, and I give him my opinion.

50. PAGE 169:08 TO 170:01 (RUNNING 00:01:00.817)

08 Q All right, and just to be clear, what
09 you, what you had that you were looking at was the
10 produced versions of the videos that were going to
11 be released publicly?
12 A That, that's my recollection, okay? I,
13 I don't recall seeing a lot of footage beyond
14 that, but I probably saw some.

15 Q Okay.
16 A One point I will make on that, though.
17 All of the video footage -- most of the video
18 footage that he got was published up afterwards.
19 So in other words, they would go out with a five-
20 to seven-, ten-minute video, whatever he was -- on
21 any of these different sequences, and then after
22 that was published, he would put, if I recall, the
23 rest of the raw video largely up on the website,
24 which, I might add, is more than a lot of news
25 organizations do after they interview for 30
00170:01 minutes.

51. PAGE 172:06 TO 172:14 (RUNNING 00:00:24.370)

06 Q I'm asking if --
07 A -- as a PR professional?
08 Q -- at the time, at the time when you
09 were actually engaged in this project, what was
10 your expectation about whether people were going
11 to be more like -- once videos were released,
12 whether people were going to be more likely to
13 view the short produced versions of the videos or
14 the long unedited versions of the videos.

52. PAGE 172:17 TO 174:04 (RUNNING 00:01:35.455)

17 THE WITNESS: So I think our -- my
18 approach, my understanding of this was that
19 we were trying to produce it very similar to
20 how the news business goes about producing a
21 report.
22 You get, you get a lot of footage
23 in your investigation. You can't use all of
24 it, because you have to disseminate it in a
25 reasonable way for the public to capture, and
00173:01 that was basically what was done. It's very
02 similar to how you would produce a short -- a
03 longer form segment on a news program. So
04 that was basically the expectations.
05 Obviously, people are going to tend
06 to review something in a shorter form than
07 they are a longer form, but I think David was
08 very adamant about always, I think, pretty
09 sure, putting up information, the whole video
10 so people could see that, journalists could
11 look at it, and the public could see it, but
12 the idea that you would shorten a video to,
13 to get it out, just similar like the news
14 media does when they do their reporting, was
15 certainly the way, the way he went about it.
16 BY MR. KAMRAS:
17 Q Okay, and I appreciate that explanation,
18 but what I heard in the middle of all that
19 explanation was an agreement that people were more
20 likely to view the short videos than the long
21 unedited versions.
22 A I think it's an accurate statement that
23 people are going to see something in a shorter
24 form than a longer form, and that might then pique
25 their interest to go look at the longer form.
00174:01 Q Okay, and, and that was your expectation
02 at the time that these videos were released,
03 correct?
04 A I think that's a fair assessment.

53. PAGE 224:16 TO 224:18 (RUNNING 00:00:12.207)

16 MR. KAMRAS: Okay. We're going to
17 mark as next Exhibit 326, and this one I
18 actually don't have another copy of.

54. PAGE 224:24 TO 225:12 (RUNNING 00:00:52.545)

24 Q All right. So this document which has
25 been marked as Exhibit 326 is a two-page exchange
00225:01 which is Bates-stamped CM07386 through 87, and it
02 is dated in early May of 2015.
03 Do you see that?
04 A I do.
05 Q Okay, and it begins with, on May 1, with
06 Kellyanne Conway emailing Mr. Daleiden.
07 Do you see that?
08 A I, I do.
09 Q And she says, "Dear Mr. Daleiden, thank
10 you for contacting us with respect to your focus
11 group needs," right?
12 A I do see that, yes.

55. PAGE 227:14 TO 227:15 (RUNNING 00:00:07.864)

14 Q Okay. So now I'll have you look at what
15 was previously marked as Exhibit 316.

56. PAGE 242:04 TO 242:06 (RUNNING 00:00:10.013)

04 Q So isn't that a yes, that you expected
05 that the videos would generate negative publicity
06 and reaction towards Planned Parenthood?

57. PAGE 242:15 TO 243:16 (RUNNING 00:01:14.746)

15 THE WITNESS: Our goal in the, in
16 this whole thing was to take David's
17 investigation, what he found, which pretty
18 much is on those videos, and, and take it to
19 the public and, and, and encourage the public
20 to see what's happening with money that
21 they're, as taxpayers, funding an
22 organization, and that organization is
23 engaging in -- and that, in our view, was in
24 the public interest, and the fact that we
25 would hopefully get members of Congress or
00243:01 elected officials or policymakers to consider
02 that information in the things they do daily
03 as representatives was absolutely one of the
04 goals.
05 BY MR. KAMRAS:
06 Q Okay, and I understand you, you keep
07 talking about the goals, and what I actually asked
08 you about was your expectation.
09 And so isn't it true that your
10 expectation is that in bringing this
11 information -- that is, the videos -- to light,
12 and in particular in doing so in swing states and
13 key markets, as you put it, and targeting
14 vulnerable Democrats, that you expected that these
15 videos were going to generate negative publicity
16 and attention for Planned Parenthood?

58. PAGE 243:21 TO 243:24 (RUNNING 00:00:07.093)

21 THE WITNESS: I don't think I
22 expected that if people saw these, they would
23 be excited about what was happening in

PP v. CMP

24 Planned Parenthood clinics.

59. PAGE 265:02 TO 265:03 (RUNNING 00:00:12.016)

02 MR. KAMRAS: And I'm going to mark
03 as next in line, which is Exhibit 330.

60. PAGE 265:07 TO 266:03 (RUNNING 00:00:55.686)

07 Q This is an article from the Judicial
08 Crisis Network, or I should say it's a post from
09 the Judicial Crisis Network.
10 Are you familiar with the Judicial
11 Crisis Network?
12 A Yes, I am.
13 Q Okay. What is it?
14 A It is a judicial activist 501(c)(4)
15 organization that gets involved in judicial
16 issues.
17 Q And in -- you'll see that this is
18 actually a press release, I guess, and it's dated
19 January 9, 2017, and the contact for the press
20 release is Peter Robbio.
21 Do you see that?
22 A Yes.
23 Q Okay, and do you know whether
24 Mr. Robbio, in fact, worked on the campaign for
25 the Judicial Crisis Network?
00266:01 A Yes. Peter was, was one of our
02 executives that worked on -- comes in and out of
03 the JCN operation.

61. PAGE 269:07 TO 269:12 (RUNNING 00:00:17.820)

07 Q Do you, do you consider yourself a,
08 either a high-level GOP or a conservative campaign
09 professional?
10 A I would say part of my 30-year career,
11 it has involved working on conservative campaigns,
12 so it's probably an accurate reflection.

62. PAGE 277:09 TO 277:12 (RUNNING 00:00:10.261)

09 Q In the third paragraph, it begins, "CRC
10 Public Relations is a staple of the conservative
11 public affairs ecosystem."
12 Do you agree with that statement?

63. PAGE 277:17 TO 277:20 (RUNNING 00:00:11.643)

17 THE WITNESS: "Is a staple of the
18 conservative public affairs ecosystem." I
19 mean we're a public relations firm that works
20 with conservative groups and organizations.

TOTAL: 1 CLIP FROM 1 DEPOSITION (RUNNING 00:34:30.247)